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June 3, 2025

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VIA ECF

The Honorable James M. Wicks
United States Magistrate Judge
Eastern District of New York
100 Federal Plaza, Courtroom 1020
Central Islip, New York 11722

Re: *Gonzalez, et al. v. 800-Flowers, Inc.*, No. 24-cv-08894-SJB-JMW
800-Flowers, Inc.'s Motion to Adjourn Initial Conference and Deadline for
Submission of the Proposed Rule 26(f) Scheduling Order

Dear Judge Wicks:

We write on behalf of defendant 800-Flowers, Inc., which, with plaintiffs' consent and in accordance with your Honor's Individual Practice Rules, requests an adjournment of the Initial Conference, currently set for June 10, 2025, and an adjournment of the deadline for the submission of the Proposed Rule 26(f) Scheduling Order, currently due on June 3, 2025.

Plaintiffs filed their second amended complaint (Docket Entry No. 14) on May 22, 2025. As set forth in the Court's March 21, 2025, Order, defendant's answer or response to the second amended complaint is due within thirty days of the complaint being filed, or by June 23, 2025. On or before that date, 800-Flowers anticipates requesting a premotion conference with the Court concerning its anticipated motion to compel arbitration and to dismiss. 800-Flowers believes that its anticipated motion to compel arbitration and motion to dismiss will dispose of all of the litigation, or hold it in abeyance pending completion of arbitration.

Plaintiffs stated they will oppose the motion to compel arbitration and to dismiss. Nonetheless, the parties agreed, and request in the interests of judicial economy, and to preserve party and Court resources, that this Court adjourn the Initial Conference set for June 10, 2025, until October 20, 2025, or thereafter as is convenient for the Court, and further, respectfully request that the Proposed Rule 26(f) Scheduling Order be due on or before October 13, 2025. This will allow for complete briefing, any hearing that the Court might convene, and time for the Court to rule on the forthcoming motion.

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This is the second request to adjourn the Initial Conference. This request is made in good faith and not for the purpose of causing undue delay.

Respectfully submitted,



Ari N. Rothman (*pro hac vice*)
Counsel to 800-Flowers, Inc.

cc: All counsel of record (via ECF)